

HISTORIC PRESERVATION FUND

Appropriation Language

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$63,658,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2009; of which \$10,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts; and of which \$10,000,000 shall be for Preserve America grants to States, Tribes, and local communities for projects that preserve important historic resources through the promotion of heritage tourism: Provided, That any individual Save America's Treasures or Preserve America grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior after notification of the House and Senate Committees on Appropriations, and in consultation with the President's Committee on the Arts and Humanities prior to the commitment of Save America's Treasures grant funds and with the Advisory Council on Historic Preservation prior to the commitment of Preserve America grant funds: Provided further, That Save America's Treasures funds allocated for Federal projects, following notification, may be transferred to appropriate accounts of individual agencies.

Justification of Major Proposed Language Changes

In absence of an enacted appropriation, all changes are based on FY 2007 President's Budget Appropriation Language.

1. After a review of the 2007 Congressional action, it was decided to reverse the 2007 proposal to transfer Heritage Partnership Program (HPP) from the National Recreation and Preservation (NR&P).

Authorizing Statutes

16 USC 470 National Historic Preservation Act of 1966 (Public Law 89-665, 80 Stat. 915), establishes the historic preservation grant program to provide assistance to non-federal entities for the preservation of their cultural heritage; a 1976 amendment in Public Law 94-422 established the Historic Preservation Fund as the funding source; and section 470h, as amended by Public Law 94-422 Section 108, provided the fund with \$150 million in revenues from Outer Continental Shelf receipts each fiscal year through 1997, to "remain available in the Fund until appropriated." This section also allows appropriations from the fund to be made "without fiscal year limitation," thus allowing the two-year appropriation language.

Executive Order 11593, May 13, 1971, institutes procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archeological significance.

Executive Order 13287, March 4, 2003, institutes procedures by which agencies shall assure the protection and use of historic properties owned by the Federal Government. Agencies shall pursue partnerships with State and local governments, Indian Tribes, and the private sector to promote the preservation of the unique cultural heritage of communities and realize the economic benefit that these properties can provide.

Activity: Heritage Partnership Programs

Federal financial, technical or other assistance to non-Federal entities is authorized in the management of areas designated for historic preservation and interpretation. Public Laws designating these areas, which are provided support under this activity, are as follows:

16 USC 410ccc21 to 26 designates and authorizes Federal support for the Cane River National Heritage Area and Commission.

Public Law 98-398 Illinois and Michigan Canal National Heritage Corridor Act of 1984, as amended by Public Law 104-333 (Div. I, Title IX, Sec. 902), Public Law 105-355 (Title V, Sec. 502), and Public Law 109-338 Title IV.

Public Law 99-647 Blackstone River Valley National Heritage Corridor Act of 1986, as amended by Public Law 101-441, Public Law 102-154 (Title I), Public Law 104-208 (Div. A, Title I, Sec. 101d), Public Law 104-333 (Div. I, Title IX, Sec. 901), Public Law 105-355 (Title V, Sec. 501), Public Law 106-113 (Div. B, Sec. 1000(a)(3)), Public Law 106-176 (Title I, Sec. 121) and Public Law 109-338 Title VII.

Public Law 100-692 Delaware and Lehigh Navigation Canal National Heritage Corridor Act of 1988, as amended by Public Law 105-355 (Title IV).

Public Law 103-449 (Title I) Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994, as amended by Public Law 106-149 *Quinebaug and Shetucket Rivers Valley National Heritage Corridor Reauthorization Act of 1999*.

Public Law 104-323 Cache La Poudre River Corridor Act of 1996

Public Law 104-333 Omnibus Parks and Public Lands Management Act of 1996, included the *Hudson River Valley National Heritage Area Act of 1996* (Div. II, Title IX), the *National Coal Heritage Area Act of 1996* (Div. II, Title I), the *Ohio & Erie Canal National Heritage Corridor Act of 1996* (Div. II, Title VIII), the *South Carolina National Heritage Corridor Act of 1996* (Div. II, Title VI), and the *Steel Industry American Heritage Area Act of 1996* (Div. II, Title IV). It also designated America's Agricultural Heritage Partnership (Div. II, Title VII), Augusta Canal National Heritage Area (Div. II, Title III), Essex National Heritage Area (Div. II, Title V), and Tennessee Civil War Heritage Area (Div. II, Title II). The *Steel Industry American Heritage Area Act of 1996* was later amended by Public Law 106 (Appendix C, Title I, Sec. 117).

Public Law 105-355 (Title I) Automobile National Heritage Area Act

Public Law 106-278 (Title I) Lackawanna Valley National Heritage Area Act of 2000

Public Law 106-278 (Title II) Schuylkill River Valley National Heritage Area Act

Public Law 106-291 (Title I, Sec. 157) Wheeling National Heritage Area Act of 2000

Public Law 106-319 Yuma Crossing National Heritage Area Act of 2000

Public Law 106-554 (Div. B, Title VIII) Erie Canalway National Heritage Corridor Act

Public Law 108-108 (Title I, Sec. 140) Blue Ridge National Heritage Area Act of 2003

Public Law 108-447 reduces amounts in FY 2005 Department of Interior appropriations by 0.594%; further reduces most FY 2005 appropriations Governmentwide by 0.8%.

Public Law 109-54 reduces amounts in FY 2006 Department of Interior appropriations by 0.476%.

Public Law 109-148 reduces amounts in FY 2006 appropriations Governmentwide by 1.0%.

Public Law 109-338 (Title II) authorizes 10 heritage areas.